

REMARKS

The Examiner is thanked for the careful review of the subject application.

Claims 1-3, 5, 6, and 8-19 are pending in the present application. Claims 4 and 7 were previously canceled. The Applicants believe the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

Rejections under 35 USC § 103

Claims 1-3, 5, 6, and 8-19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,985,882 to Del Sesto (the '882 Patent) in view of U.S. Patent No. 6,269,157 to Coyle (the '157 Patent). For at least the following reasons, the Applicants respectfully traverse the Office's rejections:

Independent claim 1 recites a method for correlating information associated with one or more products between multiple provider entities. The method includes receiving a first data associated with each of the one or more products from a first delivery entity and presenting to the multiple provider entities, the first data associated with each of the one or more products. Further, the method includes receiving a first modification to the first data by a first of the multiple provider entities and presenting the first modification to the first data to the first delivery entity. The method also includes receiving an acceptance of the first modification from the first delivery entity, associating the first modification with the first of the multiple provider entities, and offering at least one of the one or more products to clients of the first of the multiple provider entities. The clients of the first multiple provider entities are capable of purchasing the at least one of the one or more products according to the first modification of the first data.

In the method, as recited in claim 1, there are two types of transactions: a first type of transaction between a first delivery entity and a first of the multiple provider entities and a second type of transaction between the first of the multiple provider entities and the clients of the first of the multiple provider entities. In the first type of transaction, the first delivery entity and the first of the multiple provider entities can negotiate a first modification to the first data associated with a product provided by the first delivery entity. In the second type of transaction,

the first of the multiple provider entities can offer the product to the clients of the first of the multiple provider entities. The clients of the first of the multiple provider entities can purchase the product according to the first modification to the first data associated with the product.

The '882 Patent, cited by the Office, discloses a method for bringing media sellers and media buyers together at a central location over a distributed communication network. The method as taught by the '882 Patent includes a single type of transaction: a transaction between the media sellers and media buyers. The media sellers are able to list available advertising inventories and the media buyers are able to view the available advertising inventories. A media buyer can make an offer to a media seller concerning an available inventory. The media seller can accept the offer or make a counter-offer. Once the media buyer and media seller have agreed on a price for a particular available inventory the media buyer can upload content, i.e., a commercial advertisement, to the media seller and the media seller can run or play the content during the time specified in the available inventory.

The '157 Patent, also cited by the Office, teaches a method in which one or more service providers can bid on telecommunication services, e.g., the use of routes and route segments, provided by telecommunication carriers via a centralized moderator. This method includes two types of transactions: a first type of transaction in which a service provider purchases the rights to use routes and route segments and a second type of transaction in which the service provider resells the rights to customers of the service provider.

In the Office Action, the Office has acknowledged that the '882 Patent "does not disclose wherein the clients of the first multiple provider entities are capable of purchasing the at least one of the one or more products." Nevertheless, the Office has interpreted that the '157 Patent discloses the feature "wherein the clients of the first multiple provider entities are capable of purchasing the at least one of the one or more products." Specifically, the Office has interpreted that the '157 Patent discloses the feature "the end users and resellers purchase telecommunications service at the lower of the bid price in the auction or a negotiated price from the telecommunications service provider." The Office has further interpreted that it would be obvious to one with ordinary skill in the art at the time the present invention was made to modify the '882 Patent to incorporate the above-mentioned feature allegedly taught by the '157 Patent.

The Applicants respectfully submit that the method taught by the '882 Patent does not disclose, teach, or suggest that clients, or customers, of the media buyer are allowed to buy content from the media buyer. Rather, the '882 Patent is directed at allowing a media buyer to buy advertisement space from a media seller and the media seller displaying content from the media buyer to the potential clients of the media buyer. As such, there is no disclosure that the clients or potential clients of the media buyer buy the content from the media buyer. In fact, in the '882 Patent, the content is not sold. Rather, the advertising space of a media seller is sold in order to provide an outlet for the content. Based on the foregoing, the Applicants respectfully submit that the '882 Patent in fact teaches away from the claimed invention.

Further, the Applicants submit that the '157 Patent cannot be combined with the '882 Patent in the manner proposed by the Office. Specifically, the Applicants submit that the '157 Patent is not compatible with the '882 patent because the '882 Patent fails to disclose, teach, or suggest allowing clients of the media buyer to buy content from the media buyer. Additionally, there is no disclosure, teaching, or suggestion in the '882 Patent with respect to the content being sold.

The Applicants further submit that the '882 Patent and the '157 Patent are non-analogous art. The '882 Patent provides that "the present invention relates generally to methods and systems for conducting commercial transactions over a distributed communication network, such as the Internet, and more specifically, the World Wide Web. More particularly, the present invention relates to a method and system wherein media companies and media advertising purchasers are able to sell and buy media advertising time or media advertising space, or a combination of advertising time and space, on a local, nationwide, or worldwide basis from a single site on a distributed communication network." On the other hand, the '157 Patent provides that "the invention is in the field of telecommunication network control." Accordingly, the Applicants respectfully submit that a person of ordinary skill in the art of advertising would not look to the field of telecommunication network control during the conception of an invention related to advertising or marketing.

In view of the aforementioned reasons, the Applicants respectfully submit that it would not have been obvious to one with ordinary skill in the art at the time the invention was made to modify the '882 Patent to include the above-quoted feature, interpreted by the Office to be taught

by the '157 patent. As such, the Applications submit that claim 1 and all claims depending from claim 1 are patentably different from the cited prior art.

For the foregoing reasons, independent claims 5, 8, 11, 14, 16, 17, 18, and 19 are also patentably different from the cited prior art. Further, any claims depending from claims 5, 8, 11, 14, 17, 18, and 19 are also patentably different from the cited prior art.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated January 15, 2008

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